

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 9319 of 2004

Between:

Raja Rajeshwara Educational Society, Sircilla rep.by its General
Secretary, S.Balaiah S/o Venkati age 36 yrs. resident of Siddipet,
Medak District

..... PETITIONER

AND

- 1 The Government of Andhra Pradesh rep.by its Secretary,
Education Department, Secretariat Buildings ,Hyderabad
- 2 Board of Intermediate Education, rep. by its Director, Nampally,
Hyderabad
- 3 The Regional Inspecting Officer, Board of Intermediate
Education Karimnagar, Karimnagar District
- 4 Sri Krishna Devaraya Junior College rep. by its Director , Vignana
Vardhani High School, Old Campus, Near old Bus Stand. Sircilla,
Karimnagar Dist

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the
circumstances stated in the Affidavit filed herein the High Court will be pleased to
issue a writ, order or direction more particularly a writ of Mandamus, by duly
declaring the action of the respondents 1 to 3 in not taking any action against the 4th
respondents who is running junior college without permission as illegal, arbitrary,
and consequently direct the respondents 1 to 3 to take immediate steps for closure
of 4th respondent college

Counsel for the Petitioner: Mr. H.SRINIVASA RAO

Counsel for the Respondent Nos. 1to3 : GP FOR HIGHER EDUCATION

Counsel for the Respondent No.4: None

The Court at the stage of admission made the following ORDER:

Petitioner is running a Junior College at Sircilla, Karimnagar District after obtaining necessary permissions as required. The grievance of the petitioner is that the fourth respondent opened a Junior College in the name of 'Sri Krishna Devaraya Junior College' and invited applications for the first year Intermediate course for the academic year 2004-2005, without obtaining any permission for running the said college, as contemplated under Section 20 of the Education Act (for short 'the Act'). Aggrieved by the same, the petitioner has come up with the present writ petition complaining about the inaction on the part of respondents 1 to 3 in taking action against the fourth respondent for running the Junior College, without obtaining any permission.

Petitioner nowhere stated that he had made any representation to respondents 1 to 3 for taking appropriate action against the fourth respondent. Since the fourth respondent already issued publication in the newspapers for admission into its college, which has not received any approval from the Board under the Act for establishing and running the Junior College, if the petitioner files any representation in this regard, respondents 1 to 3 have to make an enquiry into the matter and pass appropriate orders and take appropriate action against such mushroom growth of colleges, if any.

The writ petition is accordingly disposed of. No costs.

A. Gopal Reddy, J

Date: 10.09.2004

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To

- 1 The Secretary, Government of Andhra Pradesh,
Education Department, Secretariat Buildings ,Hyderabad
- 2 The Director, Board of Intermediate Education, Nampally,
Hyderabad
- 3 The Regional Inspecting Officer, Board of Intermediate
Education, Karimnagar, Karimnagar District
- 4 Two CCs to G.P. for Education, High Court of A.P. Buildings, Hyderabad (OUT)
- 5 Two CD Copies